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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/417,201	10/11/1999	BRETT EDWARD JOHNSON	10982213	7100

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EXAMINER

ANYA, CHARLES E

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 11/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/417,201	JOHNSON ET AL.	
	Examiner	Art Unit	
	Charles E Anya	2126	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/6/04.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-11, 13, 16, 17 and 21-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-11, 13, 16, 17 and 21-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-5,7-11,13,16,17 and 21-26 are pending in this application.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

For the purpose of this office action the Examiner would change lines 6 – 9 of claim 3 from “**automatically** determining **without prompting from a user** if an intercept library is enabled to process the event; if the intercept library is enabled to process the event, **automatically** transmitting” to “determining if an intercept library is enabled to process the event; if the intercept library is enabled to process the event, transmitting” because the bolded words and phrase are not described in the specification.

4. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 1 recites the limitation "the generic interface communication interface" in line 13. There is insufficient antecedent basis for this limitation in the claim.

For the purpose of this office action the Examiner would change the phrase "the generic interface communication interface" to "the generic **interception** communication interface"

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. **Claims 1-5,7-11,13,16,17 and 21-26 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 5,764,985 to Smale.**

8. As to claim 1, Smale teaches a method for intercepting an event, the method comprising: generating an event with an application program (Application Programs 23/24 Col. 4 Ln. 20 – 22, figure 2 Col. 4 Ln. 41 – 52), calling an application program interface to process the event/receiving the event with the application program interface (API 25 Col. 4 Ln. 20 – 22, figure 2 Col. 4 Ln. 41 – 52), determining if an intercept library is enabled to process the event/if the intercept library is enabled to process the event

(Extension 34/35 Col. 4 Ln. 53 – 60), transmitting said the event from the application program interface to a generic interception communication interface having at least one intercept event send handler, the generic interception communication interface maintaining communication between said the application program interface and the intercept library (Routing Component 26 Col. 4 Ln. 23 – 31, figure 2 Col. 4 Ln. 41 – 52), transmitting the event from the generic interception communication interface to the intercept library with the at least one send handler (Service Provider 29 Col. 4 Ln. 23 – 31), determining if the event is to be processed by the intercept library, and if the event is to be processed by the intercept library processing said the event with the intercept library (Service Provider 28 Col. 4 Ln. 61 – 67, Col. 5 Ln. 23 – 25).

9. As to claim 2, Smale teaches the method of claim 1, further including: defining a plurality of events to be intercepted (“...functions calls...” Col. 4 Ln. 20 – 21).

10. As to claim 3, Smale teaches the method of claim 2, wherein determining if the event is to be processed by the intercept library further includes: finding the event to be processed in the plurality of events to be intercepted (Col. 6 Ln. 21 – 62).

11. As to claim 4, Smale teaches the method of claim 1, wherein the event is selected from the group consisting of function calls and operating system calls (Col. 4 Ln. 20 – 31).

12. As to claim 5, the method of claim 1, wherein processing the event includes:
sending a message enabling the application program interface to process the event if
the intercept library cannot process the event (Col. 8 Ln. 14 – 23).
13. As to claims 7 and 13, see the rejection of claim 1 above.
14. As to claims 8 and 9, see the rejection of claims 2 and 3 above.
15. As to claims 10 and 16, see the rejection of claim 4 above.
16. As to claims 11 and 17, see the rejection of claim 5 above.
17. As to claim 21, Smale teaches the method of claim 1, wherein processing the
event comprises invoking with the intercept library an event program that processes the
event (Col. 4 Ln. 27 – 31).
18. As to claim 22, Smale teaches the method of claim 1, further comprising
returning an output from the intercept library to the application program interface for
transmission to the application program (Col. 4 Ln. 61 – 67).
19. As to claims 23,24 and 25,26, see the rejection of claims 21 and 22 respectively.

Conclusion

20. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Anya whose telephone number is (571) 272-3757. The examiner can normally be reached on M-F (8:30-6:00) First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, An Meng-Ai can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles E Anya
Examiner
Art Unit 2126

cea.


MENG-AL ZHAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100